

Rec'd PCTO 25 AUG 2005

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PTO/SB/17 (12-04)

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# Fee Transmittal For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$65)

Complete if Known	
Application Number	10/521,063
Filing Date	January 11, 2005
First Named Inventor	LYE, WHYE-KEI
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	021764-000720US

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments  
 under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

**FEES CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u> <u>Small Entity</u>		<u>SEARCH FEES</u> <u>Small Entity</u>		<u>EXAMINATION FEES</u> <u>Small Entity</u>		
	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

<u>Fee Description</u>	<u>Small Entity</u>	
	<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
				<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-20 or HP =	x	=			

HP = highest number of total claims paid for, if greater than 20

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
				<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

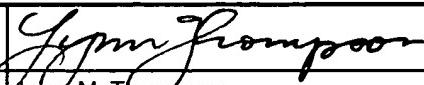
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x		=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Late Declaration Surcharge 65

**SUBMITTED BY**

Signature 	Registration No. 47,991 (Attorney/Agent)	Telephone 650-326-2400
Name (Print/Type) Lyon M. Thompson		Date August 23, 2005

60570201 v1

09/01/2005 ATRAN1 00000131 201430 10521063

01 FC:2617

65.00 DA

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/521,063
Filing Date	January 11, 2005
First Named Inventor	LYE, WHYE-KEI
Art Unit	Unassigned
Examiner Name	Unassigned
Total Number of Pages in This Submission	10
Attorney Docket Number	021764-000720US

**ENCLOSURES (Check all that apply)**

- Fee Transmittal Form
  - Fee Attached
- Amendment/Reply
  - After Final
  - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/ Incomplete Application
  - Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_
- Landscape Table on CD

- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
  - Copy of Notification of Missing Requirements ...
  - Copy of Declaration
  - Return Postcard

Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name Townsend and Townsend and Crew LLP

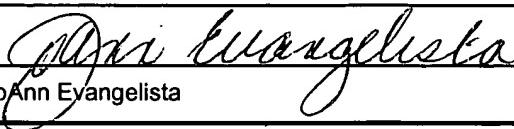
Signature 

Printed name Lynn M. Thompson

Date August 23, 2005 Reg. No. 47,991

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature 

Typed or printed name JoAnn Evangelista

Date August 23, 2005

021764-000720US  
LMT, PA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,063	Whye-Kei Lye	021764-000720US
		INTERNATIONAL APPLICATION NO.
		PCT/US03/21611
		I.A. FILING DATE PRIORITY DATE
		07/11/2003 07/11/2002

Townsend and Townsend and Crew  
Lynn M. Thompson  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834

CONFIRMATION NO. 6849  
371 FORMALITIES LETTER  
\*OC000000016773295\*  
\*OC000000016773295\*

Date Mailed: 08/15/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/11/2005
- Copy of the International Search Report filed on 01/11/2005
- Information Disclosure Statements filed on 05/19/2005
- U.S. Basic National Fees filed on 01/11/2005
- Priority Documents filed on 01/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,063	PCT/US03/21611	021764-000720US

FORM PCT/DO/EO/905 (371 Formalities Notice)

## PCT REQUEST

Original (for SUBMISSION) - printed on 11.07.2003 03:05:45 PM

VIII-4-1	<p><b>Declaration: Inventorship (only for the purposes of the designation of the United States of America)</b></p> <p>Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</p>	<p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p>
VIII-4-1 -1	Prior applications:	

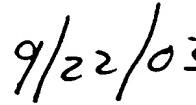
## PCT REQUEST

Original (for SUBMISSION) - printed on 11.07.2003 03:05:45 PM

	<p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>
VIII-4-1 -1-1 VIII-4-1 -1-2 VIII-4-1 -1-3 VIII-4-1 -1-4 VIII-4-1 -1-5  VIII-4-1 -1-6	<p>Name: LYE, Whye-Kei</p> <p>Residence: (city and either US State, if applicable, or country) Charlottesville, Virginia</p> <p>Mailing address: 1060 Ramblewood Place</p> <p>Citizenship: SG</p> <p>Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) </p> <p>Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application) 9/21/03</p>

**PCT REQUEST**

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VIII-4-1 -2-1 VIII-4-1 -2-2 VIII-4-1 -2-3 VIII-4-1 -2-4 VIII-4-1 -2-5 VIII-4-1 -2-6	<p>Name: REED, Michael, L.</p> <p>Residence: Charlottesville, Virginia</p> <p>Mailing address: 2181 Whippoorwill Road</p> <p>Citizenship: US</p> <p>Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)</p> <p>Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)</p>	 
VIII-4-1 -3-1 VIII-4-1 -3-2 VIII-4-1 -3-3 VIII-4-1 -3-4 VIII-4-1 -3-5 VIII-4-1 -3-6	<p>Name: WHOLEY, Mark, H.</p> <p>Residence: Oakmont, Pennsylvania</p> <p>Mailing address: 816 Woodland Avenue</p> <p>Citizenship: US</p> <p>Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)</p> <p>Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)</p>	

**PCT REQUEST**

Original (for SUBMISSION) - printed on 11.07.2003 03:05:45 PM

VIII-4-1 -2-1	Name:	REED, Michael, L.
VIII-4-1 -2-2	Residence: (city and either US State, if applicable, or country)	Charlottesville, Virginia
VIII-4-1 -2-3	Mailing address:	2181 Whippoorwill Road
VIII-4-1 -2-4	Citizenship:	US
VIII-4-1 -2-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -2-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	
VIII-4-1 -3-1	Name:	WHOLEY, Mark, H.
VIII-4-1 -3-2	Residence: (city and either US State, if applicable, or country)	Oakmont, Pennsylvania
VIII-4-1 -3-3	Mailing address:	816 Woodland Avenue
VIII-4-1 -3-4	Citizenship:	US
VIII-4-1 -3-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	<i>Mark H. Wholey</i>
VIII-4-1 -3-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	8/27/03